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HONOURABLE SRI JUSTICE B.PRAKASH RAO
AND
HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO:15750 of 2006

DATED: 31-07-2006

Between:

1. The Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board, Khairatabad, Hyderabad and another

.....
PETITIONERS

AND

H.F.Rahim

.....RESPONDENT

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ORDER:(per RR,J)

The only grievance of the petitioners herein, against the order of the tribunal in O.A.No.1452 of 2001 dated 28-04-2006, is that while the order terminating the services of the respondent was

set aside, the tribunal did not consider it appropriate to give liberty to the petitioners herein to conduct an enquiry. It is well settled that on an order of termination being set aside by Courts/Tribunals for violation of the applicable rules or for violation of principles of natural justice, the employer would not be disentitled from taking disciplinary action against an employee. The order of the tribunal in O.A.No.1452 of 2001, dated
28-04-2006, does not preclude the petitioners herein from taking disciplinary action, against the respondent, in accordance with law.

It is also brought to our notice that the tribunal had directed that the VRS application filed by the respondent shall be considered. We see no reason to interfere with the order of the tribunal in this regard. The petitioners herein shall consider the said representation and pass orders thereon, in accordance with law, within a period of three months from the date of receipt of a copy of this order.

Subject to the aforesaid observations, the writ petition is dismissed. However, in the circumstances, without costs.

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B.PRAKASH RAO, J

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RAMESH RANGANATHAN, J

31st July, 2006

SKM